

**UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD
REGION 5**

Veritiv Operating Company,
Employer

And
Teamsters Local Union No. 776,
Union

Case No. 05-RC-222567

CONSENT MOTION TO CANCEL OR POSTPONE HEARING

COMES NOW Respondent, Veritiv Operating Company (“Veritiv” or “Respondent”) and files this motion for a cancellation or postponement of the hearing in the above-captioned matter, currently scheduled for July 5, 2018. In support, Respondent states as follows:

1. This case involves a representation petition filed by International Brotherhood of Teamsters, Local 776 (“Union” or “Petitioner”), covering inventory control employees at Veritiv’s Lemoyne, Pennsylvania facility (“the Lemoyne facility”).

2. Petitioner previously filed a petition in Case No. 05-CA-212684 covering the inventory control employees at the Lemoyne facility, along with the warehouse employees at the Lemoyne facility. At the hearing in that case, Veritiv introduced evidence regarding the duties, supervision, and other terms and conditions of employment of the inventory control employees at the Lemoyne facility. The parties eventually stipulated to a voting unit excluding the inventory control employees.

3. Both Respondent and Petitioner have agreed to rely on the record established in Case No. 05-CA-212684 in determining the appropriateness of the petition in the instant case. Veritiv also intends to rely upon the Statement of Position it has submitted in this case.

Accordingly, a hearing is not necessary. Counsel for Respondent has contacted counsel for the Petitioner, Jason Weinstock, who has agreed that a hearing is unnecessary in this case.

4. Counsel for Veritiv received notice today of the hearing being set for July 5, 2018. Counsel for Veritiv is unavailable for a July 5 hearing, as July 4 is a national holiday and counsel will be out of town for a previously-scheduled vacation. Holding a hearing on such short notice is unreasonable, particularly given the above facts.

5. If the Region desires to hold a hearing despite the parties' willingness to rely upon the record in Case No. 05-CA-212684 in arguing the appropriateness of the unit, Respondent respectfully requests a postponement until Monday, July 9. Counsel for Respondent has contacted counsel for the Petitioner, Jason Weinstock, who has consented to this requested postponement.

6. Because of the short amount of time between this Motion and the current hearing date, Respondent respectfully requests that the Region rule on this Motion by close of business today, July 2, 2018.

OGLETREE, DEAKINS, NASH,
SMOAK & STEWART, P.C.

A handwritten signature in dark ink, appearing to read "Mark M. Stubley".

Mark M. Stubley
Attorney for Veritiv Operating Company